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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/586,094

05/01/2007

Jun Ho Lee

05-520-B

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7590

06/03/2009

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EXAMINER

PATEL, JAY P

ART UNIT

PAPER NUMBER

2419

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |                                    |  |
|------------------------------|--------------------------------------|------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/586,094 | <b>Applicant(s)</b><br>LEE, JUN HO |  |
|                              | <b>Examiner</b><br>JAY P. PATEL      | <b>Art Unit</b><br>2419            |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☒ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Priority***

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Republic of Korea on January 15<sup>th</sup> 2004 on. It is noted, however, that applicant has not filed a certified copy of the Korean application as required by 35 U.S.C. 119(b).

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-2 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the relationship between the OA and the CCP and the MMCA and the CCP. For example, if the CCP sends the connection setup request and the traffic release setup request, why does the ASB proceed do path setup and path release of the OA and the MMCA?

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art figure 1 further in view of Gupta et al. (US Patent 6920141 B1).

In regards to claim 1, prior art figure 1 of the present application shows the structural elements of claim 1. Figure 1 is inclusive of a BTS 50 (A CDMS 1x system comprising a BTS), OA 52 (BTS further comprising an Operations Application (OA)), a HTSB (a High-speed Transfer and Selector Block), an ASB 20 (an ATM Switch Block (ASB)), ATB 30 (an ATM Traffic Block (ATB)) and a MCCA 51 (a Multi-rate Channel Card Assembly (MMCA)). Furthermore, since a BTS is present, a BCS coupled to a CCP 10 must be present also.

In further regards to claim 1, prior art figure 1, fails to in particular teach, the call setup procedure where, the ASB receives a request for traffic connection setup from the CCP, the ASB connecting a path of the OA and a path of the MMCA individually and independently and the ASB's reporting completion of traffic setup to the CCP.

Gupta however, reads on the above-mentioned limitations in figure 13 where, where a node request VCB setup with a control packet to the local node control point (the ASB receiving a request for traffic connection setup from the CCP) (see step 1300). The Local node control point requests allocation of VCB to next node along path to destination specifying the ports and VC's desired with LOS (the ASB's connecting a path of the OA and a path of the MMCA individually and independently) (see step 1320). When ACKs are received from each next node and the ACK is sent to the

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requestor node (the ASBs reporting completion of traffic setup to the CCP) (see step 1330).

Therefore, it would have been obvious for one of ordinary skill in the art to incorporate and execute the call/connection setup procedure from Gupta using the architecture of the prior art figure 1 of the present application. The motivation to do so would be to implement a fast connect service using ATM based virtual circuits in a cellular network.

In regards to claim 2, prior art figure 1 of the present application shows the structural elements of claim 2. Figure 1 is inclusive of a BTS 50 (A CDMS 1x system comprising a BTS), OA 52 (BTS further comprising an Operations Application (OA)), a HTSB (a High-speed Transfer and Selector Block), an ASB 20 (an ATM Switch Block (ASB)), ATB 30 (an ATM Traffic Block (ATB)) and a MCCA 51 (a Multi-rate Channel Card Assembly (MMCA)). Furthermore, since a BTS is present, a BCS coupled to a CCP 10 must be present also.

In further regards to claim 2, prior art figure 1, fails to in particular teach, the call setup procedure where, the ASB receives a request for traffic connection setup from the CCP, the ASB connecting a path of the OA and a path of the MMCA individually and independently and the ASB's reporting completion of traffic setup to the CCP.

Gupta however, reads on the above-mentioned limitations in figure 15. The controller receives VCB breakdown requests (the ASB receiving a request for traffic release setup from the CCP) (see step 1500). The controller consults table for entries using alias of VCB being broken down and marks the path for deletion (step 1510) (the

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ASB's releasing a path of the OA and a path of the MMCA individually and independently). The connection breakdown requests are sent to the next node (see step 1520) and when ACK of breakdown request is received, table entries are actually deleted (thus originating node made aware of connection breakdown) (see step 1530).

Therefore, it would have been obvious for one of ordinary skill in the art to incorporate and execute the call/connection setup/ breakdown procedure from Gupta using the architecture of the prior art figure 1 of the present application. The motivation to do so would be to implement a fast connect/disconnect service using ATM based virtual circuits in a cellular network.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAY P. PATEL whose telephone number is (571)272-3086. The examiner can normally be reached on Mon.-Thurs.: 8:00 a.m.- 6:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Ryman can be reached on (571)272-3152. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. P. P./  
Examiner, Art Unit 2419

/DANG T TON/

Supervisory Patent Examiner, Art Unit 2419/D. T. T./

Supervisory Patent Examiner, Art Unit 2419